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FROM: Douglas A. Collier

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RE: Response to SEcond, Non-Final Office Action for 10/092,961 Attorney Docket: 4002-2665/PC614.00

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9306 on:

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PTO/SB/21 (09-04)

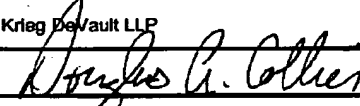
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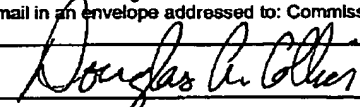
| | | | |
|---|----------------------|------------------------|--------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/092,961 | |
| | Filing Date | March 4, 2002 | |
| | First Named Inventor | John Stewart Young | |
| | Art Unit | 3732 | |
| | Examiner Name | Anu Ramana | |
| Total Number of Pages in This Submission | 4 | Attorney Docket Number | 4002-2665/PC614.00 |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks <input style="width: 100px;" type="text"/> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|---|----------|--------|
| Firm Name | Krieg DeVault LLP | | |
| Signature |  | | |
| Printed name | Douglas A. Collier | | |
| Date | March 23, 2005 | Reg. No. | 43,556 |

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| Signature |  | | |
| Typed or printed name | Douglas A. Collier | Date | March 23, 2005 |

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MAR 23 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|--------------------------------|---|--------------------------------|
| In re patent |) | |
| application of: |) | Before the Examiner |
| |) | |
| John Stewart Young |) | Anu Ramana |
| |) | |
| Serial No. 10/092,961 |) | |
| |) | Group Art Unit 3732 |
| Filed March 4, 2002 |) | |
| |) | |
| DEVICES AND METHODS FOR SPINAL |) | Atty Docket 4002-2665/PC614.00 |
| COMPRESSION AND DISTRACTION |) | |
| |) | March 23, 2005 |

RESPONSE TO SECOND, NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the office action mailed January 4, 2005, in the above-identified application, please enter the following. Please provide any extensions of time which may be necessary and charge any fees due or credit any overpayment to Deposit Account 12-2424, but not to include any payment of issue fees.

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March 23, 2005

Date of Transmission

Douglas A. Collier

Name of Registered Representative

Signature

March 23, 2005

Date of Signature

Response to Second Office Action
Ser. No. 10/092,961
Atty Docket No. 4002-2665/PC614.00
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